

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GIRAFA.COM, INC.,

Plaintiff,

v.

AMAZON WEB SERVICES, LLC,
AMAZON.COM, INC.,
ALEXA INTERNET, INC.,
IAC SEARCH & MEDIA, INC.,
SNAP TECHNOLOGIES INC.,
YAHOO! INC.,
SMARTDEVIL INC.,
EXALEAD INC., AND
EXALEAD SA.,

Defendants.

C.A. No. 07-787-SLR

**PLAINTIFF'S REPLY TO COUNTERCLAIMS OF
DEFENDANT IAC SEARCH & MEDIA, INC.**

Plaintiff and Counterclaim Defendant Girafa.Com, Inc. ("Girafa") hereby replies to the Answer, Affirmative Defenses and Counterclaims of Defendant and Counterclaim Plaintiff IAC Search & Media, Inc. ("IAC") as follows:

PARTIES

1. Girafa admits the allegations in paragraph 1 of IAC's Counterclaims.
2. Girafa admits the allegations in paragraph 2 of IAC's Counterclaims.

JURISDICTION AND VENUE

3. Girada admits that this Court has subject matter jurisdiction as set forth in paragraph 3 of IAC's Counterclaims.

4. Girafa admits that venue is proper in this district pursuant to 28 U.S.C. §§ 1391(c) and (d) and 1400(b) for the purposes of this action.

COUNTERCLAIMS

5. Girafa admits that the '904 patent was issued by the United States Patent and Trademark Office on March 8, 2005 and that the Plaintiff owns the entire right, title and interest in the '904 patent. Girafa denies that the '904 patent was improperly issued and all other remaining allegations in paragraph 5 of IAC's Counterclaims.

6. Girafa admits that the allegations in paragraph 6 of IAC's Counterclaims have been made.

7. Girafa admits that a controversy exists per paragraph 7 of IAC's Counterclaims.

FIRST CAUSE OF ACTION **Declaratory Judgment of Non-Infringement**

8. Girafa restates and incorporates by reference its responses to paragraphs 1-7 of IAC's Counterclaims as if fully set forth herein.

9. Girafa denies the allegations in paragraph 9 of IAC's Counterclaims.

SECOND CAUSE OF ACTION **Declaratory Judgment of Invalidity and/or Unenforceability**

10. Girafa restates and incorporates by reference its responses to paragraphs 1-9 of IAC's Counterclaims as if fully set forth herein.

11. Girafa denies the allegations in paragraph 11 of IAC's Counterclaims.

EXCEPTIONAL CASE

12. Girafa denies the allegations in paragraph 12 of IAC's Counterclaims.

RELIEF REQUESTED

Girafa denies that IAC is entitled to any aspect of the judgment it seeks.

ADDITIONAL PRAYER FOR RELIEF

WHEREFORE, in addition to its Complaint and in response to IAC's Counterclaims, Girafa respectfully requests that:

- a. Judgment be entered declaring that each of the claims of the '904 patent is valid, enforceable and infringed;
- b. Judgment be entered that each of the counterclaims against Girafa is dismissed with prejudice;
- c. Judgment be entered awarding Girafa its costs and reasonable attorneys' fees pursuant to 35 U.S.C. §285; and
- d. The Court enter such other and further relief as the Court may deem just and proper under the circumstances.

ASHBY & GEDDES

/s/ Tiffany Geyer Lydon

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